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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 HYRUM WEST,

11 Petitioner,

12 v.

13 BRIAN WILLIAMS, *et al.*,

14 Respondents.
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Case No. 2:15-cv-01504-LDG (NJK)

ORDER

16 On February 26, 2018, the Court entered an Order (ECF No. 56) that granted in part
17 and denied in part respondents' motion to dismiss (ECF No. 38) Hyrum Joseph West's
18 petition for habeas corpus brought pursuant to 28 U.S.C. §2254. As part of that Order, the
19 Court required that, within thirty days, West "either (1) inform this Court that he wishes to
20 formally and forever abandon the unexhausted grounds for relief in his federal habeas
21 petition and proceed on the exhausted grounds; OR (2) file a motion for a stay and
22 abeyance, asking this Court to hold his exhausted claims in abeyance while he returns to
23 state court to exhaust his unexhausted claims."

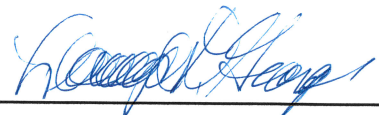
24 West responded by filing a motion requesting an extension of 120 days to respond
25 to the order (ECF No. 57). The Court denied the motion (ECF No. 58).
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1 West subsequently filed a document captioned as "Judicial Notice" (ECF No. 59)
2 which both asserts that he is not abandoning his unexhausted grounds for relief and further
3 requests an extension of 90 days to file a motion for stay and abeyance.

4 Accordingly, for good cause shown,

5 THE COURT **ORDERS** that Petitioner shall have to and until Friday, July 6, 2018, to
6 file a motion for stay and abeyance. The Court notifies Petitioner that no further extensions
7 of time shall be granted. The failure to timely file a motion for stay and abeyance may
8 result in a determination that the Petitioner has abandoned his unexhausted grounds for
9 relief and this matter proceeding solely as to the presently exhausted grounds for relief.

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12 DATED this 8 day of May, 2018.



Lloyd D. George
United States District Judge